REMARKS

Claims 1-19, 21-23, 25-34, 36, and 38-39 are currently pending in the application. Claims 20, 24, 35, 37, and 40-48 have been canceled. Claims 3, 11-19, 21, 25, 27, 30-33, 36, and 38-39 have been amended. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

The Office Action asserts that the oath or declaration is defective. More specifically, the Office Action asserts that the oath or declaration is defective for not identifying the citizenship of each inventor. In response, Applicant respectfully submits a substitute declaration identifying the citizenship of each inventor.

Claims 1-10, 19-20, 25-48, and 43-44 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0153713 to Aboel-Nil et al. ("Nil"). Applicant believes that the Examiner intended to reject claims 1-10, 19-20, 25-34, and 43-44 instead of claims 1-10, 19-20, 25-48, and 43-44 over Nil as indicated in the Office Action. Claims 20 and 43-44 have been canceled, thus rendering the rejection of claims 20 and 43-44 moot.

Nil relates to a method and system for providing improved techniques for processing emails during an unplanned outage. Independent claim 1 relates to a method for providing backup electronic messaging services to wireless devices during outages. Applicant respectfully submits that Nil fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 1, namely, sending email messages from a primary email system to a user's wireless device and when the primary email system is unavailable, redirecting the email messages from the primary email system to a secondary email system and from the secondary email system to the user's wireless device.

Nil discloses a method and system for providing an improved technique for processing email messages during an unplanned outage. Email messages are redirected from a primary server to a secondary server during an unplanned outage such as, for example, a natural disaster. A notification message is sent to users alerting them that their email messages are available on the secondary server by, for example, Internet access.

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In contrast to claim 1, there is no teaching or suggestion by Nil of sending email messages from a primary email system to a user's wireless device and redirecting the email messages from the primary email system to a secondary email system and from the secondary email system to the user's wireless device when the primary email system is unavailable. Nil discloses redirecting inbound email messages from a primary server to a secondary server when the primary server is unavailable and providing a user with access to their emails through the secondary server. Nil further discloses sending a notification messages to a users cellular phone, pager or the like. The notification message alerts the user that email messages are available on a secondary server. According to Nil only the notification message is sent to the users cellular phone. However, Nil fails to disclose, sending the email messages from a primary email system to a user's <u>wireless device</u>. In addition, according to Nil, the email messages are not directed from a secondary email system to the <u>user's wireless device</u> when a primary email system is unavailable as in claim 1. Applicant respectfully submits that amended claim 1 distinguishes over Nil and is in condition for allowance. Withdrawal of the rejection of amended claim 1 as anticipated by Nil is respectfully requested.

Dependent claims 2-10 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 2-10 distinguish over Nil and are in condition for allowance. Withdrawal of the rejection of dependent claims 2-10 is respectfully requested.

Independent claim 19 relates to a method for delivering backup messages to wireless devices. Applicant respectfully submits that Nil fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 19, namely, delivering, via an alternate email address, the email messages to the wireless device responsive to detection of an outage of a primary email system.

Nil discloses redirecting inbound email messages from a primary server to a secondary server when the primary server is unavailable and providing a user with access to their emails through the secondary server. Nil further discloses sending a notification messages to a users cellular phone, pager or the like. The notification message alerts the user that email messages are available on a secondary server. According to Nil only the notification message is

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sent to the users cellular phone. However, Nil fails to disclose, sending the email messages to a user's <u>wireless device</u>. In addition, according to Nil, the email messages are not directed to the <u>user's wireless device</u> when a primary path is unavailable as in claim 19. Applicant respectfully submits that amended claim 19 distinguishes over Nil and is in condition for allowance. Withdrawal of the rejection of amended claim 19 as anticipated by Nil is respectfully requested.

Dependent claims 21-23 depend from and further restrict independent claim 19 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 19, dependent claims 21-23 distinguish over Nil and are in condition for allowance. Withdrawal of the rejection of dependent claims 21-23 is respectfully requested.

Independent claim 25 relates to a system for providing backup electronic messaging services to wireless devices during outages. Applicant respectfully submits that Nil fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 25, namely, a primary email system, wherein the primary email system is configured for delivering email messages to wireless devices. In addition, Nil fails to disclose a secondary email system, wherein the secondary email system is configured for delivering the email messages to the wireless devices at such time as the primary email system is unavailable.

Nil discloses redirecting inbound email messages from a primary server to a secondary server when the primary server is unavailable and providing a user with access to their emails through the secondary server. Nil further discloses sending a notification messages to a users cellular phone, pager or the like. The notification message alerts the user that email messages are available on a secondary server. According to Nil only the notification message is sent to the users cellular phone. However, Nil fails to disclose, sending the email messages from a primary email system to a user's <u>wireless device</u>. In addition, according to Nil, the email messages are not directed from a secondary email system to the <u>user's wireless device</u> when a primary email system is unavailable as in claim 25. Applicant respectfully submits that amended claim 25 distinguishes over Nil and is in condition for allowance. Withdrawal of the rejection of amended claim 25 as anticipated by Nil is respectfully requested.

Dependent claims 26-34 depend from and further restrict independent claim 25 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 25, dependent claims 26-34 distinguish over Nil and are in condition for allowance. Withdrawal of the rejection of dependent claims 26-34 is respectfully requested.

Claims 11, 16, 35, and 40 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,857,009 to Ferreria et al. ("Ferreria"). Claims 35 and 40 have been canceled, thus rendering the rejections thereof moot.

Ferreria discloses a system and method for providing connectivity to a foreign network for a device configured for communication over a home network without reconfiguring the device. Independent claim 11 is directed to a method for intercepting and redirecting email messages to wireless devices. Applicant respectfully submits that Ferreria fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 11, namely, intercepting email messages responsive to detection of an outage of a primary email system prior to the email messages passing through a company's firewall, wherein the step of intercepting is performed during the outage of the primary email system.

Ferreria discloses a system and method for providing local and wide area network communications for devices without reconfiguration of communication parameters of the devices. According to Ferreria, when a subscriber moves to a remote location which is served by a foreign LAN, various network service providers may prevent access to services from a foreign network. Configuration manager redirects requests to local servers which service the requests. Ferreria does not disclose intercepting email messages responsive to detection of an outage of a primary email system. In addition, according to Ferreria, various service requests are redirected to local servers to provide service to subscribers that have moved to a foreign LAN. Ferreria fails to disclose intercepting email messages responsive to detection of an outage of the primary email system. Applicant respectfully submits that amended claim 11 distinguishes over Ferreria and is in condition for allowance. Withdrawal of the rejection of amended claim 11 as anticipated by Ferreria is respectfully requested.

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Independent claim 16 is directed to a method for intercepting and redirecting email messages to wireless devices. Applicant respectfully submits that Ferreria fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 16, namely, intercepting, responsive to detection of an outage of a primary email system, email messages intended for the primary email system within an email application using an event sink designed to inspect email message traffic.

Ferreria discloses a system and method for providing local and wide area network communications for devices without reconfiguration of communication parameters of the devices. According to Ferreria, when a subscriber moves to a remote location which is served by a foreign LAN, various network service providers may prevent access to services from a foreign network. Configuration manager redirects requests to local servers which service the requests. Ferreria does not disclose intercepting, responsive to detection of an <u>outage</u> of a primary email system, email messages intended for the primary email system. Applicant respectfully submits that amended claim 16 distinguishes over Ferreria and is in condition for allowance. Withdrawal of the rejection of amended claim 16 as anticipated by Ferreria is respectfully requested.

Claims 12, 14, 36, and 38 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2005/0009502 to Little et al. ("Little"). Little discloses a system and method for processing encoded messages such as, for example, e-mail messages.

Independent claim 12 relates to a method for intercepting and redirecting email messages to wireless devices. Applicant respectfully submits that Little fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 12, namely, intercepting email messages responsive to detection of an outage of a primary email system. after the email messages pass through a company's firewall, but before the email messages enter the primary email system, wherein the step of intercepting is performed during the outage of the primary email system.

Little discloses a system that includes a host system, a redirection program, a mobile device cradle, a wireless virtual private network router, an additional wireless network, and

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multiple mobile communication devices. Little fails to disclose detecting an outage of a primary email system. According to Little, the redirection program enables redirection of data items from a message server to a mobile communication device. The redirection program takes confidential and non-confidential corporate information for a specific user and redirects it out through the corporate firewall to the mobile devices. In contrast to the claimed invention, according to Little, the redirection program and the message server are designed to co-operate and interact to allow the pushing of information to mobile devices but fails to disclose intercepting email messages intended for a primary email system wherein the step of intercepting email messages responsive to detection of an outage of a primary email system as in claim 12. Applicant respectfully submits that amended claim 12 distinguishes over Little and is in condition for allowance. Withdrawal of the rejection of amended claim 12 as anticipated by Little is respectfully requested.

Independent claims 36 relates to a system for intercepting and redirecting email messages to wireless devices during an outage of a primary email system. Applicant respectfully submits that Little fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 36, namely, redirecting email messages to wireless devices during an outage of the primary email system. In addition, Little fails to disclose a customer mail stream service for intercepting, during the outage of the primary email system, email messages intended for the primary email system after said email messages pass through a company's firewall, but before said email messages enter said primary email system. Additionally, Applicant submits that claim 36 patentably distinguishes over Little for similar reasons to those discussed above with respect to independent claim 12. Withdrawal of the rejection of amended claim 36 as anticipated by Little is respectfully requested.

Independent claim 14 relates to a method for intercepting and redirecting email messages to wireless devices. Applicant respectfully submits that Little fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 14, namely, intercepting email messages responsive to detection of an outage of a primary email system after the email messages enter the primary email system, but before the email messages leave an Internet mail connector, wherein the step of intercepting is performed during the outage of the primary email system.

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Little discloses a system that includes a host system, a redirection program, a mobile device cradle, a wireless virtual private network router, an additional wireless network, and multiple mobile communication devices. Little fails to disclose detecting an outage of a primary email system. In contrast to the claimed invention, according to Little, the redirection program and the message server are designed to co-operate and interact to allow the pushing of information to mobile devices but fails to disclose intercepting email messages responsive to detection of an outage of a primary email system as claimed in claim 14. Applicant respectfully submits that amended claim 14 distinguishes over Little and is in condition for allowance. Withdrawal of the rejection of amended claim 14 as anticipated by Little is respectfully requested.

Independent claims 38 relates to a system for intercepting and redirecting email messages to wireless devices during an outage of a primary email system. Applicant respectfully submits that Little fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 38, namely, redirecting email messages during an outage of the primary email system. In addition, Little fails to disclose an Internet mail connector for intercepting, during the outage of the primary email system, email messages intended for the primary email system after the email messages enter the primary email system, but before the email messages leave the Internet mail connector. Additionally, Applicant submits that claim 38 patentably distinguishes over Little for similar reasons to those discussed above with respect to independent claim 14. Withdrawal of the rejection of amended claim 38 as anticipated by Little is respectfully requested.

Claims 18, 21-24, 32, and 45-48 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,557,036 to Kavacheri et al. ("Kavacheri"). Claims 24 and 45-48 have been canceled, thus rendering the rejections thereof moot.

Kavacheri discloses a messaging system capable of providing monitoring capabilities by a mail server. Independent claim 18 relates to a method for intercepting and redirecting email messages to wireless devices. Applicant respectfully submits that Little fails to teach, anticipate, or suggest at least one of the distinguishing features of independent claim 18, namely, changing a domain name system designation of a primary email system responsive to detection of an outage of the primary email system and delivering the email messages from a pre-specified

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alternate location to the wireless devices. Kavacheri discloses monitoring mail services automatically without requiring a local administrator to have knowledge about specific implementation details about mail services. The system as disclosed in Kavacheri also has the ability to perform a variety of monitoring tasks remotely. Kavacheri fails to disclose changing a domain name system designation of a primary email system responsive to detection of an outage of the primary email system and delivering the email messages from a pre-specified alternate location to the wireless devices. Applicant respectfully submits that amended claim 18 distinguishes over Kavacheri and is in condition for allowance. Withdrawal of the rejection of amended claim 18 as anticipated by Kavacheri is respectfully requested.

Dependent claims 21-23 depend from and further restrict independent claim 19 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 19, dependent claims 21-23 distinguish over Kavacheri and are in condition for allowance. Withdrawal of the rejection of dependent claims 21-23 is respectfully requested.

Dependent claim 32 depends from and further restrict independent claim 25 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 25, dependent claim 32 distinguishes over Kavacheri and is in condition for allowance. Withdrawal of the rejection of dependent claim 32 is respectfully requested.

Claims 13 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Little in view of U.S. Patent Application Publication No. 2005/0120229 to Lahti ("Lahti"). Claim 37 has been canceled, thus rendering the rejection thereof moot. Dependent claim 13 depends from and further restrict independent claim 12 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 12, dependent claim 13 distinguishes over the combination of Little and Lahti and is in condition for allowance. Withdrawal of the rejection of dependent claim 13 is respectfully requested.

Claims 15 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0102074 to Kolls ("Kolls) in view of U.S. Patent No. 6,957,248 to Quine et al. ("Quine").

Independent claim 15 relates to a method for intercepting and redirecting email messages to wireless devices. Applicant respectfully submits that the cited combination of Kolls and Quine fails to teach, suggest, or obviate at least one of the distinguishing features of independent claim 15, namely, intercepting, responsive to detection of an outage of a primary email syste, email messages directed to non-functional addresses wherein the step of intercepting is performed during the outage of the primary email system. Applicant respectfully submits that amended claim 15 distinguishes over the cited combination of Kolls and Quine and is in condition for allowance. Withdrawal of the rejection of amended claim 15 as unpatentable over Kolls and Quine is respectfully requested.

Independent claim 39 relates to a system for intercepting and redirecting email messages to wireless devices during an outage of a primary email system. Applicant respectfully submits that the cited combination of Kolls and Quine fails to teach, suggest, or obviate at least one of the distinguishing features of independent claim 39, namely, redirecting email messages to wireless devices during an outage of the primary email system. In addition, the cited combination of Kolls and Quine fails to disclose a message routing functionality for intercepting, during the outage of the primary email system, email messages directed to non-functioning addresses. Additionally, Applicant submits that claim 39 patentably distinguishes over Kolls and Quine for similar reasons to those discussed above with respect to independent claim 15. Withdrawal of the rejection of amended claim 39 as unpatentable over Kolls and Quine is respectfully requested.

Claims 17 and 41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kavacheri in view of U.S. Patent Application Publication No. 2004/0235503 to Koponen et al. ("Koponen"). Claim 41 has been canceled, thus rendering the rejection thereof moot.
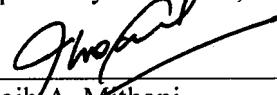
Independent claim 17 relates to a method for intercepting and redirecting email messages to wireless devices. Applicant respectfully submits that the cited combination of Kavacheri and Koponen fails to teach, suggest, or obviate at least one of the distinguishing

features of independent claim 17, namely, redirecting, responsive to detection of an outage of a primary email system, email messages intended to be delivered to the primary email system. Kavacheri discloses monitoring mail services automatically without requiring a local administrator to have knowledge about specific implementation details about mail services. The system as disclosed in Kavacheri also has the ability to perform a variety of monitoring tasks remotely. In contrast to claim 17, Kavacheri fails to disclose redirecting, responsive to detection of an outage of a primary email system, email messages intended to be delivered to the primary email system. Koponen fails to cure the deficiencies of Kavacheri noted above. Applicant respectfully submits that amended claim 17 distinguishes over the cited combination of Kavacheri and Koponen and is in condition for allowance. Withdrawal of the rejection of amended claim 17 as unpatentable over Kavacheri and Koponen is respectfully requested.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

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By _____

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